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CHAD BIANCO, in his Official Capacity
as the Riverside County Sheriff

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DAVID PHILLIP VALLEJOS,

Plaintiff,

vs.

ROB BONTA, in his Official Capacity
as the Attorney General of the State of
California, and CHAD BIANCO, in his
Official Capacity as the Riverside
County Sheriff,

Defendants.

Case No. 5:25-CV-00350-SPG-E
[Hon. Sherilyn Peace Garnett, Dist.
Judge; Hon. Charles F. Eick, M. Judge]

**DECLARATION OF ABIGAIL J. R.
McLAUGHLIN IN SUPPORT OF
DEFENDANT SHERIFF CHAD
BIANCO'S EX PARTE
APPLICATION TO CONTINUE
HEARING ON PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION FROM APRIL 2, 2025
TO APRIL 30, 2025 AND RELATED
DEADLINES DUE TO LACK OF
NOTICE**

*Filed Concurrently with Ex Parte
Application; [Proposed] Order*

Action Filed: February 7, 2025

I, Abigail J. R. McLaughlin, declare as follows:

1. I am an attorney duly admitted to practice in all of the courts of the State of California and I am a partner with Lewis Brisbois Bisgaard & Smith LLP, attorneys of record for Defendant CHAD BIANCO, in his Official Capacity as the Riverside

1 County Sheriff (“Sheriff Bianco”) herein. The facts set forth herein are of my own
2 personal knowledge, unless otherwise stated that they are upon information and belief,
3 and if sworn I could and would competently testify thereto.

4 2. **Notice of *Ex Parte* Application & Plaintiff’s Opposition.** On March
5 11, 2025, I called Plaintiff DAVID VALLEJOS (“Plaintiff”, proceeding *pro se*)
6 regarding Sheriff Bianco’s request to continue the hearing on Plaintiff’s Motion for
7 Preliminary Injunction (“Motion”). I explained to Plaintiff that Sheriff Bianco and I
8 had not been notified regarding the Court’s deadline for Oppositions to Plaintiff’s
9 Motion, as Sheriff Bianco had not yet appeared in this litigation, and I had been
10 recently retained. Nonetheless, Plaintiff stated that he would not agree to any
11 extension. I informed Plaintiff that we would then need to bring an emergency request
12 for relief as to such continuance.

13 3. Immediately after that call, I sent a confirming e-mail to Plaintiff
14 regarding this *Ex Parte* Application and Plaintiff’s Opposition thereto. Plaintiff
15 confirmed again that he would oppose any request for continuance as to the Motion.
16 A true and correct copy of that e-mail correspondence is attached hereto as Exhibit
17 “A”.

18 4. **Sheriff Bianco’s Diligence & Lack of Notification of Opposition**
19 **Deadline.** Upon information and belief, due to County of Riverside procedures, the
20 Riverside County Sheriff’s Professional Standards Bureau did not receive the
21 Plaintiff’s Complaint and Plaintiff’s Motion until February 25, 2025. A true and
22 correct copy of the stamped document reflecting the Riverside County Sheriff’s
23 Professional Standards Bureau receipt of these documents is attached hereto as
24 Exhibit “B”.

25 5. On or about March 3, 2025, Sheriff Bianco officially retained LEWIS
26 BRISBOIS BISGAARD & SMITH LLP as his counsel regarding this matter.

27 6. As of the date of this *Ex Parte* Application, Sheriff Bianco (and, of note,
28 Defendant Rob Bonta, in his Official Capacity as Attorney General of the State of

1 California) has not made an appearance in this matter. Rather, his first appearance in
2 this matter is the timely filing of his Answer on this same date: March 11, 2025. Thus,
3 at no point prior to March 11, 2025 was Sheriff Bianco (or his counsel) receiving
4 notifications about this matter.

5 7. Accordingly, on March 3, 2025, when this Court issued its Scheduling
6 Notice and Order regarding Plaintiff's Motion, setting it for hearing on April 2, 2025
7 and, pursuant to Local Rules 7-9 and 7-10, scheduling defendants' Opposition to be
8 due on March 12, 2025 and Plaintiff's Reply, if any, to be due on March 19, 2025,
9 Sheriff Bianco (and his counsel) was not notified.

10 8. Rather, on March 11, 2025, I was checking the docket to ensure Sheriff
11 Bianco's Answer would be timely filed and discovered for the first time that
12 defendants' Opposition to Plaintiff's Motion was due on March 12, 2025 –
13 approximately twenty-four (24) hours later.

14 9. While I had checked the docket prior to March 11, 2025, such was *before*
15 the Court issued its March 3, 2025 Scheduling Notice and Order regarding Plaintiff's
16 Motion. Additionally, due to the Clerk's Notice of Clerical Error [Dkt. 11,
17 incorporated herein by reference], it was my understanding that Judge Eick was to
18 handle all preliminary matters and conduct all further matters, including first
19 reviewing Plaintiff's Complaint for any deficiencies due to Plaintiff's *pro se* status.
20 Thus, as no hearing had been scheduled on Plaintiff's Motion and Plaintiff's
21 Complaint was under review, I did not believe there were any pending deadlines on
22 Plaintiff's Motion at that point in time.

23 I declare under penalty of perjury under the laws of the United States of
24 America that the foregoing is true and correct and that this declaration was executed
25 on this 11th day of March, 2025, at Los Angeles, California.

26
27 /s/ Abigail J.R. McLaughlin

28 Abigail J. R. McLaughlin, Esq.